

DEPARTMENT OF THE ARMY
U.S. ARMY MEDICAL DEPARTMENT CENTER AND SCHOOL
AND FORT SAM HOUSTON
Fort Sam Houston, Texas 78234-5014

FSH Regulation
No. 690-14

5 March 1997

Civilian Personnel
LEAVE AND ABSENCES

Issue of supplements to this regulation is prohibited without prior approval from the Commander, U.S. Army Medical Department Center and School and Fort Sam Houston

1. **PURPOSE.** To set forth policies, procedures, and guidelines for the administration of civilian leave and other absences.
2. **APPLICABILITY.** This regulation applies to all appropriated fund employees and all military and civilian management officials and supervisors serviced by the Civilian Personnel Advisory Center (CPAC), Fort Sam Houston (FSH). Certain aspects of this regulation concerning personnel policies, procedures, and practices may be negotiable. Therefore, it is each individual's responsibility to consult applicable labor agreements to determine if any pertinent changes have been negotiated. Additional guidance may be obtained by contacting the CPAC.
3. **REFERENCES.**
 - a. AR 690-990-2, Hours of Duty, Pay & Leave, Annotated
 - b. Code of Federal Regulations, Subheading: Civilian Personnel, parts 550, 551, 630.
 - c. Title 5, United States Code (USC), Subheading: Civilian Personnel, chapters 55 and 63.
 - d. FSH Reg 690-26, Conduct & Discipline
 - e. CA-16, Authorization for Examination and/or Treatment
 - f. SF 52, Request for Personnel Action.
 - g. SF 50, Notification of Personnel Action.
 - h. SF 71, Application for Leave

4. POLICY.

a. General. Employees have the right to accrue leave. However, the supervisor reserves the right to determine the amount and frequency of its usage, subject to mission requirements.

b. Approval. All types of leave must be requested in advance by the employee and approval/disapproval obtained from the immediate supervisor. Exceptions are explained in pertinent sections of this regulation.

5. ANNUAL LEAVE.

a. Full-Time Employees. An employee is entitled to annual leave with pay which accrues as follows:

(1) Four hours for each full biweekly pay period for an employee with less than 3 years of service.

(2) Six hours for each full biweekly pay period, except that the accrual for the last full biweekly pay period in the year is 10 hours, for an employee with 3 but less than 15 years of service.

(3) Eight hours for each full biweekly pay period for an employee with 15 or more years of service.

b. Part-Time Employees. Part-time employees earn annual leave as follows:

(1) One hour for each 20 hours in a pay status for an employee with less than 3 years of service.

(2) One hour for each 13 hours in a pay status for an employee with 3 but less than 15 years of service.

(3) One hour for each 10 hours in a pay status for an employee with 15 years of service.

c. Fire Fighters. Employees who are fire fighters and who have more than a 40-hour basic workweek are credited and charged with annual leave in accordance with the Negotiated Agreement between Headquarters, Fort Sam Houston and the International Association of Fire Fighters, Local F-89.

d. Scheduling. Supervisors will prepare written leave schedules not later than 1 April of each year for employees under their supervision. Determination as to time and amount of annual leave to be granted should be on a basis of mutual agreement

between the employee and his/her supervisor, subject to mission requirements. Scheduled leave may be changed or cancelled due to emergency or workload situations; however, when a change or cancellation is necessary, the supervisor should schedule another mutually acceptable leave period to preclude loss of leave.

e. Leave Charge. The minimum charge for annual leave is 15 minutes and additional charges are in multiples of 15 minutes. No work will be required or permitted during any period for which leave is charged.

f. Annual Leave. Annual leave should be scheduled at least 24 hours in advance or IAW the organization's leave policy. A Standard Form (SF) 71, Application for Leave, should be used when applying for leave. In case of an emergency or when leave was not scheduled in advance, an SF 71 will be submitted upon the employee's return to duty. This provides appropriate certification in support of annual leave taken.

6. UNSCHEDULED/EMERGENCY LEAVE. Except as otherwise provided for in existing negotiated agreements or special conditions of employment, employees must notify their supervisor or designated alternate management official within 2 hours of the start of their tour of duty of the reasons for their absence and must secure approval for it. (Notifying another employee or coworker does not meet this requirement). If circumstances prevent employees from personally calling, another person may call for them. However, it remains the responsibility of the employee to be aware of the supervisor's approval/disapproval of the requested absence. Supervisors will determine the validity of the employee's reason(s) and clearly advise the employee, or the person calling, of either approval or disapproval. Failure to request such approval, or absence after disapproval, will result in charges of AWOL along with appropriate disciplinary action. Supervisors must contact the CPAC, if initiating formal action becomes necessary (see FSH Reg 690-26).

7. SICK LEAVE.

a. Accrual. Employees accrue sick leave without regard to type of appointment or total allowable service. Full-time employees earn 4 hours of sick leave for each full biweekly pay period. Part-time employees earn 1 hour of sick leave for each 20 hours in a pay status.

b. Granting Sick Leave. Use of sick leave requires that the employee obtain approval/disapproval from the responsible supervisor. Sick leave is granted to an employee for use in the following circumstances:

(1) To receive optical, dental, or medical examination/treatment.

(2) When incapacitated for the performance of duties by physical or mental illness, injury, or pregnancy and confinement, or childbirth.

(3) When the employee's presence on the job would jeopardize the health of others because of exposure to a communicable disease.

c. Family Friendly Leave may be used:

(1) To provide care for a family member as a result of a physical or mental illness; injury; pregnancy; childbirth; or medical, dental, or optical examination or treatment.

(2) To make arrangements necessitated by the death of a family member or to attend the funeral of a family member.

(3) When the employee must be absent from duty for purposes relating to the adoption of a child, including appointments with adoption agencies, social workers, and attorneys; court proceedings; required travel; and any other activities necessary to allow the adoption to proceed.

d. Sick Leave Limit. The Family Friendly Leave provision with some exceptions, allows a full-time employee the use of 40 hours of sick leave per year for the purposes described in paragraphs 7c(1), (2), and (3). An additional 64 hours of sick leave is allowable if in using it, the sick leave balance does not fall below 80 hours. The amount of sick leave granted to an employee during any leave year for the purposes described in paragraphs 7c(1), (2), and (3) may not exceed a total of 104 hours. No sick leave may be advanced for the purposes of meeting the 80-hour requirement and no sick leave may be advanced for the purposes of paragraphs 7c(1), (2) and (3).

e. Notification. Except as otherwise provided in Negotiated Agreements or special conditions of employment, such as firefighters who may have uncommon tours of duty, an employee who is unable to report for work because of illness must personally notify the supervisor, or designated alternate management official, within 2 hours after the start of the tour of duty. (Notifying another employee or coworker does not meet this requirement.) If employees are too ill to call, another person may call for them. However, it remains the employee's responsibility to be aware of management's approval/disapproval

of the requested leave. Until medical documentation is received employees are expected to call each day to obtain approval for their continued absence. Based upon individual circumstances, supervisors may relieve employees from this requirement (e.g., hospitalization, serious illness).

f. Documentation. Immediately upon returning to duty, employees will submit an SF 71. Except as otherwise provided for in negotiated agreements or special conditions of employment, if the absence exceeds 3 days, employees must, upon returning to duty, furnish a signed statement from a physician or licensed medical practitioner that they were incapacitated for duty during the entire period of absence. Supervisors should immediately contact their servicing Personnel Management Specialist (PMS), CPAC, if the employee's medical certificate contains duty restrictions or limitations (i.e., other than full duty performance). In the event of a long-term illness, such certification must be provided no later than 7 calendar days after the period of illness began, and must show both a diagnosis and the anticipated date of return to duty.

g. On Duty Illness/Injury. Any employee who becomes ill while on duty may be sent home. In the case of an on-the-job injury or serious illness requiring immediate attention, employees will be referred/transported to the Emergency Room, Brooke Army Medical Center. Supervisors will complete the applicable portion of the CA-16, Authorization for Examination and/or Treatment, and provide it to the employee at the time of referral. Employees suffering minor illness or discomfort should be referred to their personal physician for diagnosis and/or treatment. In the case of suspected drug/alcohol abuse DO NOT RELEASE THE EMPLOYEE and follow procedures outlined in paragraph 8.

The minimum grant of sick leave is 15 minutes

8. ALCOHOL/DRUG ABUSE BY CIVILIAN EMPLOYEE. It may occur that an employee will appear impaired by alcohol or drugs to a degree which would interfere with proper performance of duty, be a menace to safety, or be prejudicial to the maintenance of discipline.

a. Upon becoming aware that an employee may be impaired by alcohol or drugs while on duty the supervisor will document the date, time, place, name(s) of any witness(es), and the circumstances which cause the supervisor to believe the employee is under the influence of alcohol or drugs. Another management official and a union steward may also be asked to confirm this observation.

b. The supervisor will inform the employee of his/her concerns and afford the employee an opportunity to provide an acceptable reason for the observed condition/behavior. If he/she is unable to do so, the supervisor will direct the employee to accompany the supervisor to the Brooke Army Medical Center (BAMC) Emergency Room for a medical determination of his/her condition. A union steward may also be asked to accompany the employee.

c. If the employee is cooperative and ambulatory, the supervisor will complete the CA-16, and personally transport the employee to the emergency room. The supervisor will remain with the employee until diagnosis is completed. A BAMC EMS staff or resident physician will evaluate the employee's condition and will complete the bottom portion of the CA-16 by stating "FIT," "UNFIT - Appears impaired by alcohol or drugs," or "UNFIT - Medical condition."

(1) If the employee is "FIT" the supervisor will return him/her to duty and contact the servicing PMS, CPAC, to discuss appropriate action.

(2) If the employee is "UNFIT - Alcohol or Drugs," the supervisor will call the Fort Sam Houston Military Police, provide a statement of the circumstances and place the employee in Military Police custody for disposition. The supervisor will carry the employee in an AWOL status as of the time he/she was placed in custody and contact the CPAC for assistance in taking appropriate disciplinary action.

(3) If the employee is "UNFIT," with a diagnosed medical condition other than alcohol or drug intoxication, the supervisor will place him/her on approved sick leave.

d. If the employee is uncooperative, is creating a disturbance, is nonambulatory, refuses to accompany the supervisor to the emergency room, or refuses to be examined after arriving at the emergency room, the supervisor will follow the procedures outlined in paragraph 8c(2).

e. As a management official, the supervisor is required to exercise "reasonable control" over the employee to ensure that he/she does not endanger him/herself, other persons, or government/private property. Physical restraint is inappropriate, except in the case of clear and present danger. Should the employee attempt to operate a motor vehicle, the supervisor will immediately report the situation, along with the vehicle description and license number, to the Military Police.

f. Any employee whose involvement with alcohol/drugs is adversely impacting upon performance and/or conduct, needs and is entitled to assistance. When the employee returns to duty, the supervisor should conduct a counseling session to make him/her understand that help is available. If the employee agrees to seek assistance, the supervisor will call the Army Drug Abuse Prevention Control Program Staff to schedule an appointment. Participation in the program is voluntary and the employee may not be coerced or directed to attend. If he/she refuses to admit to a problem or seek help, the supervisor should document the offer of assistance and the employee's refusal and initiate appropriate disciplinary/performance action through the CPAC.

9. **SICK LEAVE ABUSE.** Whenever sick leave abuse is suspected, supervisors should review the circumstances and take corrective action if appropriate. Employees who abuse the sick leave privilege or indiscriminately use sick leave to excess, may be disciplined and, if necessary, removed from the Federal Service. Call the servicing PMS, CPAC for assistance.

10. **ADVANCED SICK/ANNUAL LEAVE.**

a. Advanced sick leave will be limited to deserving cases of serious disability/illness which is supported by medical evidence, subject to approval by an appropriate management official in the employee's organization, according to the following considerations:

(1) Requests must be made by the employee in writing.

(2) All available accumulated sick leave to the employee's credit and annual leave subject to forfeiture (use or lose) must have been exhausted.

(3) Amount of sick leave advanced may never exceed 30 days at any time. When it is known the employee is retiring, or it is anticipated the employee is to be separated, total advanced sick leave may not exceed the amount which can be accrued prior to the last duty day. In the case of employee serving under temporary or time limited appointments, advanced sick leave will be limited to the total amount of sick leave which he/she would otherwise earn during the term of the appointment.

(4) Except in cases of known retirement/separation, there must be a reasonable assurance the employee will return to duty.

(5) Requests must be supported by a medical certificate signed by a physician or licensed medical practitioner stating the employee is, or will be, incapacitated for duty and showing the date when the employee will be physically able to return.

b. Advanced annual leave is subject to approval by an appropriate management official in the employee's organization according to the following considerations:

(1) Requests must be made by the employee in writing, accompanied by an explanation for the advancement.

(2) All available accumulated annual leave to the employee's credit must have been exhausted.

(3) Amount of annual leave advanced may never exceed the total amount of annual leave an employee would otherwise earn through the end of the leave year in which the request is made.

11. VOLUNTARY LEAVE TRANSFER PROGRAM.

a. This program allows for the unused accrued annual leave of one employee to be transferred for use by another employee who needs such leave due to a medical emergency.

b. Employees eligible to participate in the program are all those appropriated fund employees who are in an employment status that allows them to both earn and use annual leave and who have been affected by a qualifying medical emergency. The approved leave recipient may have leave transferred retroactively for leave without pay or advanced leave periods commencing at the beginning of the medical emergency.

c. A leave donor may not donate more than one-half of the amount of annual leave he or she would be entitled to accrue during the leave year in which the donation is made. A request for a waiver of this limitation will be considered when it is submitted in writing and by a donor who is a family member of the recipient or by a donor who works directly with the recipient in the same organizational element. A leave donor may not donate leave at the end of the leave year for the purpose of avoiding forfeiture of annual leave and no more than the number of hours remaining in the leave year (as of the date of transfer) for which the leave donor is scheduled to work and receive pay, may be donated.

d. Department of the Army (DA) personnel may not directly or indirectly intimidate, threaten, or coerce, or attempt to

intimidate, threaten, or coerce any DA employee for the purpose of interfering with any right such employees may have with respect to donating, receiving, or using annual leave in accordance with this leave transfer program. An employee may not, under the leave transfer program or any other existing program, buy leave from or sell leave to any other employee.

e. A leave recipient may use annual leave transferred to his or her annual leave account in the same manner and for the same purposes as if he or she had accrued the annual leave.

f. Any transferred annual leave remaining to the credit of a leave recipient when the medical emergency terminates shall be restored, to the extent administratively feasible, by transfer to the annual leave accounts of the leave donors.

12. LEAVE WITHOUT PAY. Leave without pay (LWOP) is an approved, temporary, nonpay status and absence from duty, which is charged in increments of 15 minutes and covers only those hours which employees would otherwise work or for which they would be paid. Extended LWOP is defined as a period of absence exceeding 30 calendar days in a nonpay status.

a. Conditions. Leave without pay is not a matter of right for employees, except in certain cases required by statute or official policy (e.g., VA treatment of disabled veterans).

b. Requests. Requests for LWOP must be submitted in writing and must contain a full justification supported by appropriate documentation, the date LWOP is proposed to begin and its appropriate duration, and the address and telephone number where the employee can be reached during LWOP. In cases where the employee is requesting LWOP to seek Federal employment in another area, requests should be accompanied by a separate SF 52, Request for Personnel Action, Resignation, effective at the end of the requested nonpay period. This will allow for the orderly transfer of the employee's pay and personnel records to the new servicing office. If LWOP requested to seek Federal employment in another area is due to transfer of spouse on official government orders, a copy of those orders will be attached to the request.

c. Approvals. Unless prohibited by organization policy, immediate supervisors may approve requests for LWOP of up to 30 calendar days. (Note: A record must be kept of all such leave granted.) Requests in excess of this amount must be submitted to the CPAC, along with the employee's written request to the supervisor, the supervisor's recommendation and reason(s), and an SF 52. An SF 50, Notification of Personnel Action, will be issued to the employee. Upon completion of LWOP and return to

work the supervisor must submit another SF 52 showing the date of return, thereby reentering the employee in a pay status.

d. Considerations. Except as outlined in subparagraph 13a, authorizing LWOP is a matter of administrative discretion. Therefore, the employee's needs should be balanced against the needs of both the activity and the Federal Government in reaching a decision. Additionally, management should consider the impact of such things as ongoing mission requirements which may require internal reassignment of duties or overhire recruitment action. (Note: LWOP is not a basis for priority recruitment action.)

e. Timeliness. Because of the often complex issues involved, requests for LWOP should be submitted for management's consideration at the earliest possible time in advance of the proposed effective day. Immediately upon receipt, supervisors should caution employees that their requests cannot be considered approved until either the supervisor's written approval (30 days or less), or the authenticated SF 50 (over 30 days) is returned to them. Absent unusual circumstances, requests submitted after the fact will not normally be approved.

13. FAMILY AND MEDICAL LEAVE. An employee who has completed at least 12 months of service is entitled to a total of 12 administrative workweeks of paid or unpaid leave during any 12-month period for certain family and medical needs.

a. Leave Entitlement. A total of 12 administrative workweeks will be made available equally for a full-time or part-time employee in direct proportion to the number of hours in the employee's regularly scheduled administrative workweek for the following reasons:

- (1) The birth of a son or daughter of the employee and the care of such son or daughter.
- (2) The placement of a son or daughter with the employee for adoption or foster care.
- (3) The care of a spouse, son, daughter, or parent of the employee, if such spouse, son, daughter, or parent has a serious health condition.
- (4) A serious health condition of the employee that makes the employee unable to perform the essential functions of his or her position.

b. Substitution of Leave. An employee may elect to substitute the following paid time off for any or all of the period of leave taken under this section:

(1) Accrued or accumulated annual or sick leave, consistent with the current law and regulations governing the granting and use of annual and sick leave.

(2) Advanced annual or sick leave approved under the same terms and conditions that apply to any other agency employee who requests advanced annual or sick leave.

(3) Leave made available to an employee under Voluntary Leave Transfer Program.

4) Compensatory time off.

c. Management may not deny an employee's right to substitute paid time off or require an employee to substitute paid time off for any or all of the period of leave taken.

14. MILITARY LEAVE. It is the policy of this installation to extend full cooperation to all reserve components of the Armed Forces by granting, consistent with mission requirements, leave of absence for active duty military training purposes. Civilian employees who are members of the Armed Forces Reserves or National Guard, who perform active military duty as specified in 5 USC 6323(a), may request the use of paid military leave, annual leave, or LWOP as appropriate. Under the law, an eligible full-time employee accrues 15 calendar days of military leave each fiscal year, and any unused military leave remaining at the end of the fiscal year is carried forward for use in the subsequent fiscal year. Full-time employees may accrue up to 30 calendar days of military leave.

a. Employees anticipating military orders are responsible for advising their supervisors a minimum of 30 days in advance so that adjustments in work schedules may be planned. Note that military leave is not authorized for periods of inactive duty training (e.g., weekend drills).

b. Requests for military leave must be accompanied by a copy of the official orders directing the individual to duty. Upon return to the activity, the employee will provide a copy of the dates the duty was performed.

c. Temporary and intermittent (WAE) employees are not eligible for military leave. Part-time employees are eligible on a pro rata basis.

15. COURT LEAVE. Court leave is authorized absence without charge to leave or loss of pay for jury duty, or to serve when summoned as a witness, in a nonofficial capacity, on behalf of federal, state, or local government or when such government is a party to an action. Court leave is available to permanent and temporary, full-time and part-time employees. Intermittent employees are not eligible for court leave.

a. Partial Service. Employees excused from court duty when 2 or more hours remain in the workday are expected to return to duty, unless extenuating circumstances (distance from home, duty station, court, etc.) make returning impractical.

b. Certification. Employees will present evidence of a call to court service to their supervisor immediately upon receipt. Upon completion of court duty, employees will obtain a Certificate of Service from the Court Clerk and deliver it to their supervisor.

16. EXCUSED ABSENCES. There are numerous instances when employees are absent from their normal assignments to perform acts or services officially sanctioned by management. In performing these acts or services, employees remain under management control or jurisdiction and are thus considered in a duty status. Examples of such absences include interviews with EEO Counselors, merit placement interviews (FSH CPAC serviced activities only), or when utilizing Advisory Center services. Supervisors must determine that the act or service is job related and not chargeable to leave and should also place reasonable limits on the length of such absences. The more common situations where excused absence may be granted are as follows:

a. Blood Donation. Consistent with mission requirements employees are encouraged to serve as blood donors and will be excused on official time for donation, recuperation following donation, and necessary travel to and from the donation site. Employees may be authorized a maximum of 4 hours of official time for this purpose. However, it must be taken incident to the actual donation of blood and may not be carried forward or accumulated.

b. Tardiness and Brief Absence. Infrequent brief periods of tardiness or unavoidable absence may be excused, at the discretion of the employee's supervisor, for periods of less than **15 minutes**. Such discretion is not to be used to avoid a charge to leave and does not apply to group dismissals.

c. Taking Skill Tests or Examinations. This applies only to tests/examinations given by, or taken at the request of, the employing activity. Absence for other tests/examinations should be charged to annual leave.

d. Attending Conferences, Conventions, and Meetings. Excused leave, not exceeding 5 workdays per calendar year, may be granted to attend such functions whenever it is determined that attendance will be in the best interest of the Government. However, approval will be limited to those situations where the employee is designated as an official representative or where there is a direct relationship between the agenda and the employee's official duty assignment. Supervisors will direct requests for excused absences, along with a description of the meeting or conference, a copy of the announcement, and their written recommendation(s) to the CPAC. Requests submitted after the fact will not be approved.

e. Vaccination/Immunization. Illness caused by vaccination/immunizations required by the activity will be excused without charge to leave or loss of pay, provided the medical official administering them certifies to the necessity for the absence.

f. Complaints, Grievances, and Appeals. Employees and their officially designated representatives, if otherwise in a duty status, may be authorized reasonable amounts of official time to obtain information or assistance from official sources, respond orally to a proposed disciplinary or adverse action, or present a grievance, appeal, or complaint. Employees are specifically prohibited from using official equipment, and/or supplies (i.e., typewriters, copiers, stationery, metered envelopes, DSN lines, etc.) in preparing such actions. In order to ensure equal treatment, supervisors are encouraged to coordinate use of official time with the servicing PMS.

17. ADMINISTRATIVE DISMISSAL OF CIVILIAN EMPLOYEES

a. Authority for group dismissal rests solely with the Commander of an activity and subordinate managers/supervisors will not make independent decisions in this regard. It should be noted that supervisors and managers have no authority to authorize their civilian employees to participate in training holidays, activity picnics, or similar outings, while in a duty status, even if the event is viewed as "morale enhancing" or is otherwise desirable. Questions which concern policies and authorities involving group dismissals and other unusual excused leave situations should be addressed to the CPAC.

b. From time to time, existing or imminent weather conditions, the breakdown of essential services or facilities, or other events beyond the control of management require the closing of all or part of an activity.

(1) Essential personnel are determined by serviced commanders to be those employees who perform duties which are vital to the continuity of medical facilities, public safety, national defense, or similar crucial operations; and who are required, therefore, to be at work regardless of emergency situations or any general dismissal policy.

(2) An emergency situation is general rather than personal in scope and impact, which makes habitation of the work place a serious hazard to the health or well being of those located therein, and which, either prevents employees from reporting to work, or necessitates the closing of all or part of the activity.

(3) Hazardous weather conditions are conditions such as heavy rain, icing, hurricane, or severe fog which make travel unsafe or inadvisable.

c. Unless otherwise notified, all employees are to presume that their office/activity will be operational each duty day regardless of any weather or emergency condition which may develop. Therefore, they are expected to adjust their personal schedules in order to cope with possible difficult driving conditions or disruptions of public transportation.

d. Employees whose presence is required in support of emergency operations or essential services may be directed to remain on duty or to make every reasonable effort to report for duty, even though all or part of the activity is closed. In designating such personnel, management should give due consideration to those factors bearing on the employees' relative ability to comply, such as distance from residence to work site, access to highways, means of transportation, general health, etc.

e. When, due to localized circumstances, a serviced activity commander determines that it may be necessary to close all or part of the activity, he/she will inform the Commander, FSH, through the Civilian Personnel Officer, FSH, who will, if necessary, implement the following procedures:

(1) During duty hours. Upon determining that all or part of an activity is to be closed, the Commander, FSH, through his designee, the Civilian Personnel Officer, will:

- (a) Notify serviced commanders and HQ, FSH, directors.
- (b) Notify representatives of bargaining units where appropriate.
- (c) After receiving such notification from the CPAC, serviced commanders will direct the identification and release of nonessential employees working the shift in progress. Employees will be advised they are being placed on administrative leave for the remainder of the duty day and they are to return to duty the next duty day unless otherwise notified through the media. Employees will also be notified that, in the event the activity remains closed beyond the excused day, they will be placed on annual leave or, if they have no leave to their credit, LWOP. Employees already absent in an approved leave status will not be converted to administrative leave.
- (d) Employees who have been determined to be "essential personnel" will be informed of the requirement to remain at their duty stations regardless of the general dismissal.

(2) During nonduty hours

- (a) A storm or emergency occurring during nonduty hours may make it necessary that employees not report for work. Such decision will be communicated by radio, TV, and where possible, the press. In the absence of any such announcement, all employees will be expected to report for duty regardless of conditions.
- (b) When employees are prohibited from reporting for duty under these circumstances they will be placed on administrative leave followed by LWOP.
- (c) Employees who have been determined to be "essential personnel" may be contacted and directed to make every reasonable and continuing effort to report for duty, even though all or part of the activity is closed.

f. It should be noted that, while temperature extremes may result in employee discomfort, they are not a basis for closing all or part of an activity. Before considering group dismissal, liberal use of annual and sick leave will be authorized, in individual cases, for those employees whose chronic medical conditions could be aggravated by temperature extremes. Group dismissals due to temperature extremes will be authorized only upon a finding that conditions are "intolerable and endanger the health of the employees."

g. All media contacts or official announcements concerning the closing of all or part of the installation will be disseminated by the Public Affairs Office, HQ, FSH, in coordination with the CPAC, FSH.

18. UNEXCUSED ABSENCE. When employees are absent from duty without prior approval and fail to furnish an acceptable reason for the absence, they will be carried as Absent Without Leave (AWOL). The minimum charge of AWOL is 15 minutes and pay is denied for the period covered by the absence. The AWOL, an unapproved absence, is distinguished from leave without pay (LWOP) which is an approved absence in a nonpay status. Appropriate disciplinary action is required in cases of AWOL (see FSH Reg 690-26).

19. COMPENSATORY TIME/OVERTIME.

a. Regular overtime work is overtime that is part of an employee's regularly scheduled administrative workweek. It is overtime that was planned (or should have been planned), and approved ahead of the workweek. Employees who work regularly scheduled overtime must be paid. Compensatory time may not be granted for regularly scheduled overtime work.


b. Irregular or occasional overtime work is overtime under Title 5, USC that is not part of an employee's regularly scheduled administrative workweek. Unlike regularly scheduled overtime when employees must be paid, General Schedule (GS) employees who work irregular or occasional overtime may be granted compensatory time off in lieu of overtime pay. Employees whose rate of basic pay is in excess of GS-10, step 10, may be required to take compensatory time off instead of being paid for the irregular or occasional overtime work. All other GS employees may request compensatory time off; however, management cannot require compensatory time in lieu of paid overtime. Federal Wage System (WG, WL, WS) employees must be paid overtime and may not be granted compensatory time under any circumstances.

c. Compensatory time must be used within 26 pay periods of it being earned. Failure to do so will result in the compensatory time being paid at the overtime rates in existence at the time the work was performed.

d. Employees who are nonexempt under the FLSA are entitled to compensation for overtime work supervisors "Suffer or Permit" them to perform. "Suffer or permitted" work is any work performed by an employee (before or after duty hours, lunch, break, etc.) whether requested or not, provided the employee's supervisor knows or has reason to believe the work is being performed and has an opportunity to prevent the work from being performed.

e. Accurately recording time and attendance is an essential part of the supervisor's responsibility.

The proponent of this regulation is the Civilian Personnel Advisory Center. Users are invited to send comments and suggested improvements on DA Form 2028 (Recommended Changes to Publications and Blank Forms) to the Commander, U.S. Army Medical Department Center and School and Fort Sam Houston, Fort Sam Houston, TX 78234-5022.



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Installation Commander

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